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The Red Gestae

Vol. 33, No. 18

The University of Michigan Law School

March 13, 1985



Rebecca Eisenberg

Intellectual Property Prof Brings New Perspective

Professor Rebecca S. Eisenberg joined the Law school's permanent faculty this year to teach *Torts and Protection of Technology*, as well as this semester's "Legal Issues in Scientific Research." Eisenberg graduated from Stanford University in 1975, worked for an investment management firm for a year as a research assistant and economist, and attended Boalt Hall where she was Articles Editor of the *California Law Review*. Upon completing her clerkship with the Hon. Robert F. Peckham of the United States District Court, Northern District of California, Professor Eisenberg practiced law as a litigator with two San Francisco law firms. Last week, Professor Eisenberg was interviewed for the RG by Ann Sulzberg.

RG: After practicing law for four years, why did you choose to pursue an academic career?

RE: I always thought I wanted to teach in the long run. I stayed in practice longer than I had expected because I liked it a lot more than I had anticipated. But after I practiced for four years, it was hard to continue following along both paths at the same time. I felt I had to make a substantial commitment to stay in the practice or get out now. So I decided to test the waters and see what was available in academia

See EISENBERG, page five

ABA Inspects Law School

By Bruce Vielmetti

Don't sweat last week's accreditation inspection. The visiting observers who check in every seven years, promised that Michigan wouldn't be removed from the list of ABA-approved law schools. Whew!

But despite lots of lunches and dinners out, and the chance to visit with colleagues, the five-man team denied their little Ann Arbor trip was any sort of junket. They came to listen, they said, and perhaps offer some constructive outside perspectives.

While here they met with U-M administrators, to hear their ideas of where the law school fits in the larger scheme of things. They met with law faculty, of course, and even talked to some students. You may not have noticed the visitors during their two-day stay; they were all older white males, dressed like lawyers. Despite the serious nature of their task, they tried to make their inquiry appear casual, onesaid.

The formal student meeting on Thursday brought several student leaders together in 501 LR to offer their concerns (if not quite criticisms) to the team, which also had some questions of its own.

Invited to the meeting by Dean Sue Eklund, the student group included Ellen Deason, Marjorie Powell, Bob Schiff, Russell Smith, Jon Frank, Robin McGee, and Nereida Melendez.

LSSS vice president Smith thought the

hour and a half meeting went pretty well. "I had a real sense they were pretty serious about it," he said afterward, "and not just taking it for a ride."

Smith said he stressed to the team that general student/faculty communication could be improved, and that the visitors asked specifically about student input to curriculum choices, and the hiring committee. More concrete student gripes focused on Room 100 lighting, Room 150 heat, and a lack of computer facilities, Smith said.

Student concerns weren't surprises to the team. It had been briefed in the form of a triple-wide briefcase full of information before arriving, and the LSSS' report entitled "Student Perspectives on the University of Michigan Law School's Self Study" was included.

The 15-page paper addressed overall goals, admission policies, financial aid, curriculum and placement. It also rated the law school on how well it seems to have progressed on issues which it indicated were of high priority in the last self study, in 1978.

See ABA, page four



The Amy S. Indenbaum Lounge in the basement of Hutchins Hall.

Photo By Tom Morris

Picozzi Assesses Arson Hearing

By Mark Harris

While waiting for his hearing to resume Jim Picozzi remains in good shape, confident in the outcome and bitter towards University officials. Reached at his current residence in New Haven, Connecticut, Mr. Picozzi was willing to interrupt his Saturday afternoon workout to speak with the RG about his case, his experiences since the fire in 1983 and his future plans.

Picozzi characterized the hearing as going "very well," adding that "the University has yet to produce any concrete evidence I set the fire." He specifically felt that the testimony of gas station attendant Brian Meyers has been discredited. Just before the

hearing adjourned prior to Spring Break Ann Arbor Police Detective Miller, reportedly the first person to

that Meyers had not seen him that night "I don't see how any reasonable person could believe Brian Meyers," Picozzi said.

PICOZZI DECIDED that a law suit would be necessary to get a letter of good standing last summer after negotiating with the University for eighteen months. Though he was a little daunted about opposing an institution with the prestige of the University he felt there was "no alternative" to a law suit; "I had nothing to lose and everything to gain." Picozzi expressed frustration over the University's conduct, saying "I'm only getting due

See PICOZZI, page four

It's Back, NCAA Basketball Fans!

See Page Six

contact Meyers after the fire, testified concerning his interview of Meyers. According to Picozzi, Miller testified that Meyers had said he had not seen someone short and missing two fingers buying gasoline the night of the fire. Picozzi felt this conclusively showed

By Jim Komle

With less than two weeks to go in its fund-raising drive, SFF finds itself far short of its 1985 goal. "We want to raise at least \$24,000," said Bob Schiff, a third-year law student and co-chair of SFF. "Right now, we have a little over \$6000 in pledges. We're hoping that students will really come through in the next week and a half."

In 1984, nearly 40% of the student body pledged a record \$21,000 to Student Funded Fellowship. The funds collected in 1984 represented a substantial increase from the \$12,000 received in 1983, and Schiff hopes to continue that trend. The \$24,000 goal is also

significant because dispersal of the money that law firms have contributed is tied to that mark. "The closer we come to collecting \$24,000, the more we get from the pool of law firm money," Schiff said.

Student Funded Fellowship is a non-profit organization run by law students with the purpose of providing money for fellow students who want to take low-paying summer jobs with public interest and public service organizations. The idea is to get students who have taken more remunerative jobs to pledge either 1 percent of their summer income, or one-half of one day's pay.

See SFF, page four

Current SFF Drive Wraps Up March 22

Editor in Chief: Andrea Lodahl
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Opinion: Dave Kopel
Arts: Jim Komie
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The Price of Justice

The Picozzi hearing has engendered comment about psychodrama, about the example of practical law in our midst, and about the pressures that lead to an arson in the Law School, but nobody's talking about the bill. A bill which, according to speculative estimates by participants, will probably run to over a hundred thousand dollars before the question is settled.

Arson trials are the expensive kind, like malpractice and a few other specialized areas—you spend lots of dough for expert witnesses to give their considered opinion to the finder of fact. Often both sides have highly qualified experts whose job it is to contradict one another. Although this isn't a trial, the fact issues are the same and so are the experts.

Then there's the legal help. Mr. Picozzi has had as many as three lawyers working on the matter at different times.

There are even some costs you might never have thought about. Take a guess at what the court recorder, that man taking down everything verbatim, makes. Ready? A hundred dollars an hour. So that transcript runs to almost a thousand dollars a day. We're not only getting an inside view into legal process, we're also in a position to take a hard look at the realities of judicial access.

Mr. Picozzi comes from a family who can be modestly described as comfortable. What if he hadn't? A lot of people think he set the fire. What if he didn't? While respecting the University's decision to require this hearing, we can still imagine a miscarriage of justice here based on nothing more than dollars. Picozzi might have been poor.

When the hearing recommences we expect you'll be there to see the show—we will. But while you're oohing and ahhhing at the chance to see a real legal proceeding, strain your ears to hear the meters ticking on those guys up front and give a few minutes' thought to the cost of justice.

Letters

None of Us Are Immune to Pressures of Law School

To the Editor:

There's a lot of talk (and print) around the Law School right now about Jim Picozzi. Much of the talk centers not only around WHETHER Picozzi set the fire, but also around WHY a person would do such a thing. He is described as abrasive, having a bad relationship with his father, being under pressure from his family, etc. In short, people are focussing on ways Picozzi is different from the rest of us.

should be spending that energy lobbying the administration for change, or supporting each other in handling the pressure we all face.

Suzanne F. Dice

Action Beyond Hutchins Hall

To the Editor:

I am writing in response to Ms. Smith-Capehart's letter of March 6, 1985. Ms. Smith-Capehart voices concern that faculty have not attended the Picozzi hearings, and notes that the hearings represent a valuable and unique chance to see, in action, what we learn in the classroom. The hearings are indeed interesting, and do represent much of what we have so far experienced only in theory. However, Ms. Smith-Capehart's implication that the hearings represent some sort of unique opportunity is simply wrong.

Within a five minute walk of the Law School are at least 7 active courtrooms, ranging from Small Claims Court, to the United States Federal District Court. Most of the proceedings are public, and easily accessible. Law students, and faculty, who are interested in seeing some "action" would more likely find it in one of the many real court-rooms than in the Moot Court Room. I am not saying that the Picozzi hearings should not be attended; they represent public justice within our smaller, academic community; however for educational value, our local courts offer a longer running show.

Steven A. Cash

Hertzberg: J.J. No Sadist

To the Editor:

After that childish attack on Prof. J.J. White two weeks ago in the R.G., I feel it necessary to say something in his defense.

I know of no other professor in this law school that gives as much time and effort to educating his students as Prof. White. At the same time, I know of no professor who demands as much from his students. The latter is not by way of overly burdensome reading assignments (20 pages, or less, per class won't short circuit anyone's brain), rather it is by demanding that we prepare and participate. We all know that Prof. White somehow acquired an antiquated dictionary of the English language; one printed prior to when the word "pass" entered our language. (Why don't graduating seniors buy him a new one?) However, he is one of the few professors

who have refused to bend before the cabal of anxiety that pervades the class rooms. If one reflects on Prof. White's teaching style for a moment they would realize that he is not motivated by a sadistic desire to harm or humiliate anyone, but simply a desire to teach. I personally am not terribly comfortable volunteering in class, but when I get called on I believe it's my job to try and respond intelligently and not run in fear.

Finally, as for the person who wrote the article a couple weeks ago—relax! Prof. White, nor anyone else is out to castrate you either literally or figuratively.

John Hertzberg, 3L

P.S. With Prof. Martin out sick, and after that article you wrote, I advise you to sit cross legged in Comm. Trans. for the rest of the term!

This Week In RG History

With this issue, the Res Gestae begins a new weekly feature, whose title astute readers may already have spotted. The feature will highlight the most significant events as reported in past issues of the RG.

TWELVE YEARS AGO. Controversy raged about the Law School Senate's ban of non-union lettuce from the Lawyers' Club Dining Room.

Students wondered whether planned leafletting and displays by the National Lawyers' Guild had anything to do with Justice Rehnquist's last-minute no-show as a Campbell judge.

FIVE YEARS AGO. The Ann Arbor police arrested a man for stealing wallets from unlocked Lawyers' Club rooms. He was caught when he walked into a

student's room in G section, accidentally encountered a student in the room, and asked her where N section was. After receiving an answer, the man went further upstairs in G, thereby arousing the student's suspicion.

LAST YEAR

John Warren Davis, a former first year law student, committed suicide by hanging himself at the parking ramp located next to the University Hospital. Davis, 24, had been on a leave of absence since the preceding November.

Your Dinner Causes Torture

By Dave Kopel

My last two editorials have dealt with agribusiness's exploitive role in food production. One of the cruelest forms of exploitation, and one that rarely gets noticed, is factory farming of animals. "Out of sight, out of mind" is often the way we treat the mentally disturbed (as long as they're off the streets, we don't care what happens in mental institutions.) It's the same with factory farming. All most American consumers see is a plastic-wrapped cut of meat in their supermarket freezer. They don't realize how that meat is "grown."

VEAL

No form of factory farming is worse than gourmet veal production. Producing veal with the appropriate delicate bluish-white muscle requires extraordinary efforts. Veal producers buy day-old calves and put them in individual stalls barely bigger than their own bodies. To restrict movement within the stall, calves are tied at the neck. To keep the calves quieter, the rooms are pitch-dark.

To make sure the calf is anemic, it is fed a high-fat, low-iron diet. Their stalls contain no straw or other bedding, because the calves would eat it and the iron it contained would darken their flesh.

Of course such production methods don't produce healthy animals; about one in five veal calves dies before its few months in the production process are up. The torture produces calves that "have delicate whitish-pink flesh and clear fat and are deliciously tender," in the words of one cook-book.

CHICKEN

Next to veal production, factory chicken production is the most shocking form of animal raising. Holly Farms broiler chickens spend their lives 4 chickens to a 3½ square foot cage. The cages are made of wire mesh, and the chickens' feet become deformed from standing on the mesh all their lives. Because the chickens can't move, their talons sometimes grow around the mesh, thereby rooting them to their spot.

90% of all egg production comes from factory farms. Chickens kept under natural conditions can live up to 10 years; commercial layer hens are so worn down by life in the cage that they only last about a year and a half. (At that point, their egg-laying capacity has dropped, and it is more profitable to turn them into chicken soup.)

People wonder whether chickens have the brains to even notice their conditions. The neurotic behavior of factory chickens indicate that chickens do notice their conditions, and suffer severe stress from them. Normal barnyard chickens fight each

other and establish a pecking order, but rarely kill each other. Factory chickens go so crazy they need to be debeaked to stop fatal pecking frenzies.

Hogs and cattle are increasingly factory farmed, and may spend months in pens too small to permit movement. Not all hog and beef production today involves confinement systems, but magazines such as *Farm Journal* observe a trend towards factory confinement systems that will parallel current methods of chicken production.

INFERIOR PRODUCTS FROM FACTORY FARMS

Factory farming sacrifices quality for quantity. Factory eggs are smaller, have more white and less yolk and are paler and more watery than barnyard eggs. Factory eggs may be lower in vitamin B-12 and in folic acid. Publications like *Broiler Industry* acknowledge that consumers find factory chickens less flavorful; the industry hopes to solve the problem with artificial flavor injections. To restore natural color to factory eggs, producers add xanthophyll or beta-carotene to layers' food; unfortunately, these additives reduce the quality of the eggs even further.

Because factory farm animals have little contact with natural environments, over generations they lose their immunity to various micro-organisms, and accordingly become vulnerable to disease. To deal with the reduced immunity of factory animals, factory owners must resort to increasing injections of antibiotics. A Department of Agriculture study found that 14% of all meat and poultry sampled contained illegally high levels of drug and pesticide residues. Widespread use of antibiotics in factory animals is blamed for producing drug-resistant super-bugs that can infect humans. Over-use of penicillin in factory animals has helped produce strains of pneumonia, salmonella, and other diseases that are nearly invulnerable to medicine.

Factory steers have a ratio of non-nutritional fat to nutritional material of 3 to 1. Free-living steers, on the other hand, have a nutrient to fat ratio of over 5 to 1.

YOUR TAX DOLLARS AT WORK

While the market incentives to produce cheaper (if lower-quality) animals are strong, factory-farming is made possible in part by government subsidization. Pig and poultry factories qualify for the generous investment tax credit, to the tune of 10 million dollars a year. Regular all-purpose farm buildings, on the other hand, do not qualify for this credit.

In violation of federal law, the Farmers' Home

Administration and the Small Business Administration routinely make loans to gigantic factory farms, to the detriment of small family farms. The S.B.A. doles out loans to pig factories with gross sales of over a million dollars a year. The Department of Agriculture subsidizes tens of millions of dollars of University agricultural research for projects that have no application but for factory farming.

HOW TO TAKE YOURSELF OUT OF FACTORY FARMING

First of all, don't eat most of the chicken, eggs, veal, pork, and beef you see around you. Almost all of it is factory-farmed. To get non-factory, non-chemically dosed animal products, purchase your animal products from a food co-op, or from a butcher who can tell you where the meat comes from. Butchers can be cheaper than supermarkets, and almost always give you a better quality.

The factory farming boycott has already gotten the attention of the industry. As more people join in, factories will be forced to modify their practices. The economic impact of animal rights advocates is already visible in new food items such as Chicago's "Nest Eggs," which are laid by free-range chickens.

Second, work against all the government subsidies to factory farming described above.

Third, tell your congressman to stand up to agribusiness and to demand tough labeling laws. Meat labels should disclose the drugs fed to the animal, and whether the animal was factory-raised.

Finally, support laws to require better conditions for factory farm animals. West Germany, Sweden, Britain, and Switzerland already have such laws. **AGRI—BUSINESS AND YOU**

This is the last in a series of editorials about exploitation and the food industry. Originally, my interest in the third world hunger, farm-worker unionization, and animal rights seemed unrelated. But when one looks beneath the surface, one discovers the essential similarities of these issues. All involve a conflict between corporate profits and basic justice.

If our yuppie generation is as cynical and selfish as many people feel, we'll go right on consuming our African peanuts, California grapes, and Wisconsin veal. If, on the other hand, our generation remembers its fundamental principles of decency, we'll work on our own and with the government to put a stop to corporate agricultural exploitation.

Law Students Unite! Preserve "The Pub"

By Steve Hunter

Contrary to popular belief, the pub under the reading room will open someday, and if you can't get in there now, you will be able to then, right? I'm not so sure.

"What's to stop me?" you may ask. The answer is simple. Worse than a stampeding herd of cattle, worse than the black plague, worse than locusts. Undergrads. They're everywhere in this building. They fill up empty space like it was a vacuum. What will keep several hundred of them from filling up the pub?

As far as I know, nothing. But perhaps steps can be taken. Otherwise the pub may look like the Union, with five or six people sitting around a table studying, and secure in that right because one of them had a 30 cent cup of coffee an hour before.

But the more egalitarian of you are thinking that the pub should be for everyone, right? After all, just because we're law students doesn't mean we should be pampered and given special privileges.

This may be so, I don't know. Personally I like to be pampered and given special privileges, but I guess I'll admit it's not our divine right to have a snack bar exclusively for law students. However, I still maintain that the pub should be for law students only.

The law school was built for 1200 students, if that. It can't bear the brunt of the University as a whole. And when undergrads come here to study, they go to the lounge, the stacks, the lower library,

everywhere. Never mind all those signs that say non-law students are confined strictly to the reading room.

In a way I sympathize with them. When I was an undergrad at this university there was a chronic shortage of study space. A recent trip to the UGLI (undergraduate library) has convinced me that nothing has changed. By the same token, I never snuck down to S-2 and sat in someone's carrel, even though I couldn't find a place to study either.

Another thing I did as an undergrad was fool around a lot, (I saw *Fast Times at Ridgemont High* about 15 times on cable). A quick stroll down where the pub is now shows me that the tradition lives on. People sitting on the tables talking. People reading the bulletin boards and talking. People on the phone talking. And talking, and talking and talking. (but that's a whole other story). The point is, what are these folk going to do if the pub is filled? They are going to wait. Right there, for as long as it takes, talking with their friends. And though the pub may be able to contain sound, the hallway cannot.

But I fear all this doomsaying is in vain. I seriously doubt if the powers that be will turn away paying customers merely because they are non-law students. My one hope is that they will devise some system to make people who have finished eating leave, so more customers can enter.

As for me, I will continue to go to the lounge that's always open and never too crowded. You can find me at the Taco Bell.



Social Propositions Basis for Law

By Andrea Lodahl

Melvin A. Eisenberg, Koret Professor of Law at Berkeley, began the three part Cooley Lecture series Monday by distinguishing doctrinal and social propositions as foundations for making law. The series, entitled "The Theory of Adjudication", was slated to continue Tuesday and Wednesday with further discussion of the functions of social analysis in courts and the functions of courts in society as the RG went to press.

Eisenberg began his talk by distinguishing the dispute resolution and lawmaking functions of courts. He asserts that we demand both functions from our judicial system due to two basic needs we have for the institution: that of resolving disputes in a legitimate way, and that of making supplemental law that the legislatures can't manage due to sheer volume constraints.

Eisenberg next explicated two basic normative models for how the dual functions of courts should operate, which he called the "by-product model" and the "supplemental model." The by-product model stresses the dispute resolution function heavily, limiting rule-making to the scope necessary to decide the instant case before the court.

The supplemental model, by contrast, acknowledges the need to fashion broader rules that will be fair and applicable in future disputes. Eisenberg implied that the supplemental model is both a more accurate picture of what courts do now than the by-product model, and is a preferable normative standard for judicial rulemaking.

Social propositions are good foundations for judicial lawmaking for several reasons, Eisenberg stressed. Reference to social rather than personal moral views helps assure against corruption of the judicial function, sin-

ce objectivity is a foundation of legitimate lawmaking.

A second justification is based on the dispute resolution *raison d'être* of the courts: "If the courts resolved disputes on any other basis," Eisenberg explained, "there would be no institution to which a person could go to vindicate a claim based on social propositions." Since claims derive from social propositions, in other words, social propositions should be applied to resolve them.

A third important aspect of rulemaking is replicability, so that would-be actors can predict the basis on

which their claims will be handled. "If courts did not use a replicable form of reasoning, lawyers couldn't give good advice for the purpose of planning," Eisenberg pointed out.

Eisenberg then discussed several types of moral reasoning, including "social morality" (a consensus approach), "inductive morality" (based on first principles), and "personal morality" (referent to institutions, faith and the like.) He closed his Monday talk by addressing some of the criticisms of social morality made by current philosophers.

ABA Checks Heads

From Page One

The report's strongest criticisms fell on financial aid. It attacks the presumptions made by financial aid rules, and calls for a loan forgiveness program to allow more students to work outside the big-firm structure. "Regardless," the report reads, "more resources are needed; this is a problem which calls for immediate action."

The report also expresses disappointment that this year's self-study doesn't mention the same 1978 goal of "improved placement for those with lower academic standing." But overall, the report applauds the work of the placement office, and tosses some self-congratulation in for SFF and the NLG alternative legal career conferences.

The law school's lowest score on meeting 1978 priorities came for student-faculty communications improvements. The report reads:

"For any meaningful purpose, this goal has been dropped by the law school; this is evident since the 1985 Self Study no longer even pretends to address this issue. Our prosperity seems to have fostered a sense of self-satisfaction. Certainly students are not as active as they once were. This has been seen as a nationwide trend; it is also apparent here. However, this does not excuse the Law School from allowing us to participate. We stand willing to participate in a constructive

manner; but we cannot do so unless the faculty gives us access."

The report cites the effective skirting of student input to committees on which they nominally serve, by the use of executive sessions and ad hoc faculty groups meeting without their student components.

After its first day, the accreditation team would not say how the review was going. "Our impressions aren't jelled yet," said Peter Hay, Dean of University of Illinois Law School. "As the committee, we make no findings, conclusions or judgments," he said. "We're just the information gathering arm of the ABA."

Other committee members were Robert Stein, Dean of the University of Minnesota Law School, Quintin Johnstone, Professor at Yale Law School, James Hoover, Director of the Law Library at Columbia, and James McHugh, attorney from Steptoe and Johnson, in Washington, D.C.

Stein said he perceived a mixture of great satisfaction and pride about the law school. As to students' concerns from the meeting, he said he'd "rather not characterize them," but added, "It's not uncommon in any student body to find complaints."

"If there weren't any room for improvement, it would be a pretty boring place," said Hay.

The visitors said they hoped to get their report ready by the August meeting of the ABA.

Bar Resists Change: No to Specialization

By Vern Brown

Michigan Bar President and Detroit trial attorney Dennis Archer spoke last Thursday at the 4th USSS Legal Symposium on the future of legal education. Mr. Archer spoke on the topic of specialization and its effects on future careers in law.

Specialization is a process whereby the State Bar certifies lawyers as qualified to practice law in specific areas. Several states already have similar programs, including California and Florida. Yet Michigan according to Mr. Archer, while a very progressive state in terms of law, has consistently rejected all proposed plans for specialization.

Mr. Archer cited the changing makeup of the Michigan Bar as the principal reason for the State's reluctance to proceed in this area. The huge increase in the number of young lawyers and the increased number of women (up to 39% from 7% in 1970) accounts for many of the differences of opinion on how to implement such a plan. Basically, the younger lawyers favor advanced formal training as the method to qualify lawyers for specialization. The old guard thinks that lawyers currently practicing should be qualified automatically through some type of grandfather clause while new lawyers should be qualified only after practicing for specified time periods.

Mr. Archer conceded that specialization has become a confrontation between younger lawyers wanting to improve the quality of the legal profession and older lawyers wanting to preserve their economic interests by limiting who can practice. Mr. Archer

noted that on his many visits to local county bar associations, one question which always arises is "What is the Bar Association doing about all these lawyers coming into the market? We have too many lawyers already." Archer's usual reply is "Nothing."

Attempts to implement some sort of specialization by the State Bar have consistently failed, according to Archer. Over the past 10 years, a series of attempts to develop and implement a plan for specialization has been consistently rejected by the membership of the State Bar. Archer says the response is always the same: "We endorse the concept of specialization but reject his particular method."

Archer pointed out that de facto specialization already exists, at least in the eyes of non-lawyers. "Just mention to a friend or family that you are going to practice law and the first question will always be which type of law do you plan to practice."

"My best guess is we won't have specialization officially in the near future. New plans to implement this program will meet the same fate as the rest. The concept will be endorsed but the specific plan will be rejected."

"No one wants one more level of red tape to prevent them from making another dollar."

"What will happen instead of specialization is mandatory continuing legal education." Although Archer noted "Through the grapevine, the State Bar will not recommend continuing legal education. Young lawyers are smarter and better." The order for mandatory CLE might come instead from the state Supreme Court.

SFF Nears End of Drive

From Page One

SFF also collects money from law firms who recruit on campus. Some firms pledge money outright, and others match the contributions of their summer associates from the law school. But the bulk of the funds SFF collects comes from students.

Fellowships are awarded on the basis of many factors, but foremost is that the student be able to demonstrate that his or her proposed summer job serves the public interest. Schiff emphasized that "public interest" does not mean "vested liberal interests."

"We really are open to funding students of any political slant, so long as they can show us that their job does serve the public interest," he said.

Student Funded Fellowship has supported law students at a broad spectrum of summer jobs, from the U.S. Attorney's Office for the Southern District of New York, to the Legal Services of South Eastern Michigan. "Some people don't want to contribute because they feel that SFF is a politically biased organization—but we're not," Schiff said.

Any previous experience in public interest work is a definite plus for ap-

plicants, but by no means necessary. Schiff said part of the reason SFF exists is to give students a chance to see what public interest work is like. Applications are due March 22 and can be picked up in the Placement Office. But Schiff urged anyone interested to get their applications in right away.

March 22 is also the last day of the current pledge drive. "We're counting on a big surge here at the end, getting commitments from people who have put off pledging to the last minute," Schiff said. "I really think we can reach our goal."

Eisenberg On Women, Teaching, Practice

From Page One

and I got an offer that was impossible to turn down.

RG: What factors did you consider most important when you were making a decision about where you would like to teach?

RE: I wasn't really sure when I began looking for a teaching position what I was looking for. I ended up interviewing all over the country and basically made my decision on the basis of how I felt in the different law schools and whether I could see myself there and whether I would be happy there. I wanted to be at a school with a good reputation, with good students, with good colleagues and an environment where I thought I might be happy staying in the long run. I didn't want to go anywhere I knew I didn't want to stay.

RG: Do you think women are encouraged to go into teaching?

RE: Yes and no. I think probably most people if you asked them if they want more women in law teaching would say yes. I think that there are a number of forces discouraging women from going into teaching. The fact that most professors are men and not women makes it harder, I think, for some women to see themselves as teachers. Men are less likely to perceive their women students as proteges than their male students because the latter are more like them. Also in the interviewing process for teaching jobs there are some qualities that might be interpreted differently in men than in women. So it is hard to untangle all these factors and say whether women are encouraged or discouraged from going into teaching. The bottom line is that they are not being encouraged enough. There are not enough women in teaching.

RG: Do you think that will change as more women enter the teaching profession?

RE: That is likely to help the situation. It is a slow process.

RG: Is part of the problem that firms have made a stronger effort at recruiting women, that is, are women attracted by the larger salaries the firms may offer?

RE: Certainly the firms have done a better job than most law schools in attracting the most talented women in the profession. I don't know if that is necessarily because women prefer practicing in law firms rather than teaching in law schools, but I think that firms are more aggressive about attracting women, at least at the associate level than law schools have been. But I am not sure why that is so.

RG: More generally, what difficulties do you think women face in the legal profession—whether in a firm or in an academic setting?

RE: I think women need to find their own personal style as lawyers or as teachers and that they suffer from a dearth of role models to help them do that. When you are trying to turn yourself into a lawyer or turn yourself into a law professor, it helps if you can look to other people that you can identify with and say that if this is an approach that works for this person, this is an approach that will work for me as well. The small numbers make it harder to find someone you can identify with and emulate. I think women also face the problem of having to deal with people who don't recognize their own prejudices and stereotypes about women and men and that leads to problems in working relationships. There are a lot of well-intentioned people who don't realize they are treating women in a way that is discriminatory and that has a detrimental impact on their careers and on their images of themselves as lawyers or law professors.

RG: Have you found any difficulty being accepted by your male students in your role as a professor?

RE: By and large I would say no. The law students—both men and women—have treated me well. They have been respectful but also friendly at the same time. I feel sometimes that some of my students are testing me a little more than they would some of my more seasoned colleagues. I don't know if it is because of my youth or because of my gender. But I do not consider this a problem.

RG: What types of cases did you handle while you were practicing law?

RE: I did a range of cases involving commercial litigation with an emphasis on trade secret and unfair competition litigation.

RG: Recombinant DNA research presented a paradigmatic example of the need to regulate science. Assuming that self regulation is insufficient, what roles do you perceive for the courts and government agencies in regulating science?

RE: The Recombinant DNA field is a good example of self regulation by the scientific community working pretty well. To the extent that this has been formalized by the government agencies it has been largely under the auspices of the National Institutes of Health, with substantial input from the scientific community.

In the recombinant DNA situation a minimalist approach to legal

regulation has worked very well partly because the scientific research community was very responsible very early on in addressing the issue and drawing public attention to the concerns it raised

RG: How do you like Ann Arbor?

RE: Sometimes I love it and sometimes I feel really homesick. I find myself strongly influenced by the weather—to a greater extent than I had anticipated when I decided I could move from sunny California to the frigid Midwest. I like Ann Arbor. I am finding it a very friendly community, a very easy place to get to know and be comfortable in. I have rarely felt concerned about my personal safety and people have been very nice to me. I have spent all of my life in the San Francisco Bay area and I find it hard to give that all up. It helps that people here are so friendly. But I think that I will be happier in a few months when the weather gets better.

ACLU Sets Up Shop On Michigan Campus

By Steve Hunter

Students interested in putting their law school training to use in civil liberties matters have finally got the chance. The University now has its own chapter of the American Civil Liberties Union.

The chapter, which is headed by first-year Debbie Osgood, recently presented its bylaws to the Washtenaw County branch of the ACLU. The county branch also granted the University chapter two seats on the branch's board of directors. These seats have ex officio status right now, but pending a later vote they may soon have voting rights.

Osgood, who is a former employee of the Rhode Island ACLU, feels that the law school has a need for the chapter. "One of the reasons that I wanted to do this is I thought the law school needed an organization that dealt specifically with civil liberties issues," Osgood said, adding that the chapter would "give people a chance to use some of the training and learning that they get at law school already for a public interest cause. I think that is a worthwhile experience for anyone, no matter what sort of law they go on to practice. I also think it's a good way for people to examine and articulate their views on civil liberty issues."

THE CHAPTER ITSELF is made up of mostly law students, but some undergraduates are involved, and the group is open to all students as well as faculty and University officials. According to Osgood, however, "so far we've been limited to just students." Right now, the membership of the chapter is "about 20 members and 10 to 12 active members," Osgood said.

Since this is the first time there has been a chapter of the ACLU at the University of Michigan, the organization of the group is still in its infancy. According to Osgood, "since we are such a new organization anything goes."

Everybody in the group has an equal voice in what direction the group should take." Also, the amount of work involved is manageable along with law school, Osgood feels. "For most people it's a meeting plus a couple of hours every couple of weeks. It's not an oppressive commitment."

In addition to being the founder of the chapter, Osgood is the president. She and vice-president Howard Pincus are both alumni of Brown University, and the University of Michigan chapter's bylaws are modeled after the Brown chapter's bylaws.

THE UNIVERSITY CHAPTER is part of a larger organization which connects all the way up to the national ACLU, but with a more specific agenda. "We are a university chapter of the Washtenaw County branch of the ACLU. That branch is a branch of the Michigan affiliate, which is an affiliate of the national ACLU," Osgood explained.

The chapter's agenda involves several issues. "One is to help create greater student interest in civil liberty issues and to provide a way for students to become actively involved in those issues," Osgood said. The ACLU chapter helps accomplish this by setting forums on such subjects as capital punishment and the student code.

Another activity the chapter is involved in is doing research for the county branch on legal issues. In this way the chapter helps the county branch's legal committee with the prison complaints that they receive.

The ACLU chapter usually meets about every other week and has an office in room 4114 of the Michigan Union. The next meeting is scheduled for Thursday, March 14. Howard Simon, the executive director of the State of Michigan ACLU will be speaking and the location will be posted on the walls of Hutchins Halls.

Picozzi Speaks On Suit

From Page One

process because it was ordered by a Federal court. That's one of the reasons I would urge the student body to examine what's going on. I feel like I'm being victimized. If it happens to me, it could happen to anybody."

Picozzi is currently working as a substitute in the New Haven public schools teaching "everything from High School Calculus to parts of the body to sixth graders." He's unable to get work with a firm because he's not a candidate for a law degree and because he needs a flexible work schedule in order to prepare his case. He has been doing some research and investigation on his own case in order to hold down his legal bills.

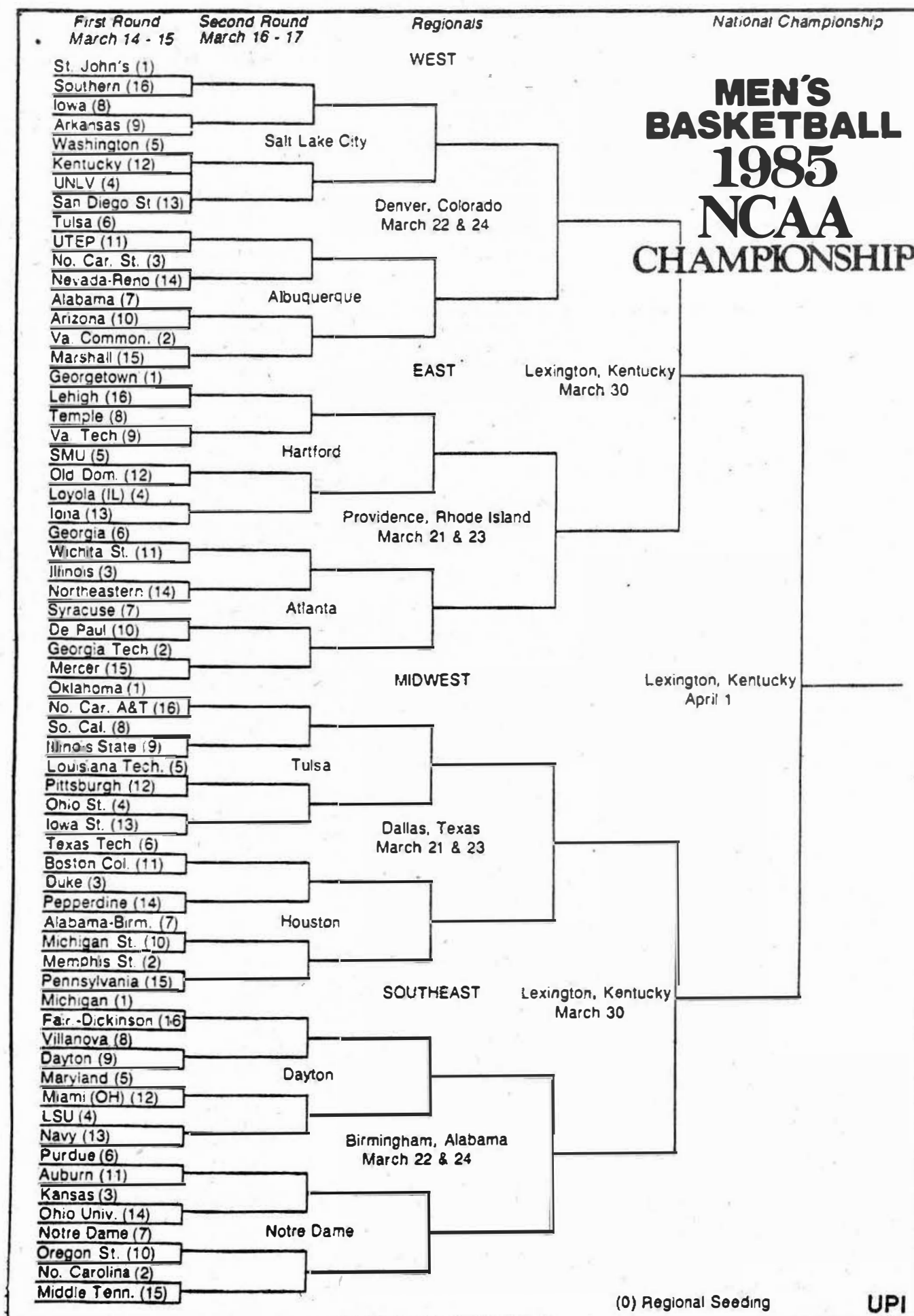
Picozzi said the events of the past two years have not been totally negative. Though unhappy about having to have gone through the experience, Picozzi

feels it has given him "the opportunity to have some very rewarding experiences. I can't imagine when in my life I would have taken the opportunity to teach in inner city schools."

As a first year in Prof Kamisar's criminal law class Picozzi said he was "one of Kamisar's favorite targets because I was on the conservative side and made a perfect foil for him." After his experience he says he's become more interested in defendant's rights and wants to spend at least part of his time working in criminal law. "Every attorney should go through what I've gone through to see the importance of constitutional protections."

But Picozzi also felt he would never have the case totally behind him. "Even if I win big my name will be associated with the fire. There'll just never be any escaping it. There's no way to make up for the anguish and pain. It's been a horrible experience."

Hoop Upsets Await Prediction



*Going with
Georgetown
Won't be
Quite enough*

By Bruce Vielmetti

The Michigan "teamship" sets sail Friday for the title waters of Lexington. But what other teams will survive the chops and swells of the NCAA basketball tournament and float among the final four?

If you think you know, it's time again to enter the RG NCAA CONTEST. The rules should be familiar: You simply fill in the bracket, tear out this page, affix name, year, phone, and deposit in the box outside Room 100 by 10:30 tomorrow. Only one entry per person please.

Entrants receive 1 point for each correct first round prognostication, two points for each winning call in the second round, three in the third, etc. With any luck, and some help to our scorers, you will be able to follow the weekly results here in the RG.

So all you NCAA-heads who think you really know college hoop, from the nickname of Mercer to the sixth man's rebounding average at Nevada-Reno, show us your knowledge, prove there was good reason why you've gotten so far behind in ComTrans. (Caution: it's wimpy to use a Quija board).

As usual, the prizes are media recognition and something to be announced. Special awards may be considered for the law student completing the most documented hours of tournament TV viewing over the next three weekends, and the best resulting Dick Vitale impersonation.

Third years Jeff Goldfarb and George Tzanetopoulos shared top honors in last year's contest, emerging with 180 points each. Former RG editor-in-chief Ruth Milkman placed a respectable fifteenth, only 22 points behind the winners (and she didn't bribe the scorers). They all enter this year's contest as favorites, but that only means the rest of us will be gunning for them, right? As Freed's says, those rankings don't mean much at RG Contest time.

This contest is a proven favorite with RG readers so please don't take too many extra copies to try and sneak in various predictions under names of known basketball haters. If you really think you've got hot tips, there are plenty of other pools around that pay off much better than this contest.

Staff favorites up here on the fourth floor include the Hawkeyes and the Thundering Herd (they of the 92-foot shots). However, this my own heart and soul ride with the Judge, Roy, and Butch Wade "The Lane Warrior." I'm sure they want my graduation to really mean something special this year.

Curran Explains Factor Point System

By Andrea Lodahl

Patricia Curran, Director of the Office of Women and Work for the Michigan Department of Labor, explained how factor point analysis can be used to achieve comparable worth to a capacity crowd in the Faculty Dining Room last Friday night. The talk was cosponsored by the Washtenaw County-ACLU and the Women Law Students' Association.

According to Curran, one fair way to approach the issue of pay disparities between traditionally female occupations and traditionally male occupations is to apply a point system already used by many employers to rate jobs relative to one another. "All we want is to have the same scale applied to all jobs, and to leave the gender of the person who usually does the job out of it," Curran declared.

As one example of a factor-point study, Curran cited a study of the State of Michigan salary system using its own factor point rating system, performed by the management consulting firm Arthur Young and Company. The state's scales for ranking positions, which are based on attributes of each position that count as "factors" were used to assess salary levels.

When jobs like "state policeman" and "registered nurse" were compared, they received a comparable number of factor points under the State scale. The state policeman, however, is currently overpaid by about \$1300 and the nurse underpaid by about \$4400, according to this analysis.

Curran acknowledged that people view the state policeman's job as more dangerous, requiring more strength, and more essential, but she urged us to

re-examine those presumptions. She noted that nurses are exposed to virulent diseases on a regular basis, work around hazardous chemicals, and "actually suffer from the same illnesses as the troopers, although for different reasons. They both get bad backs and bad lungs. The nurses get bad backs from standing all day; the troopers from sitting in those badly designed cars all day. The nurses get bad lungs from inhaling chemicals, and the troopers from smoking in squad cars. But," she emphasized, "the risks are the same ones."

In some cases employers have actually applied different scales to the "male jobs" and the "female jobs," according to Curran. In others, no scales have been used to set wages but traditional sex-segregated jobs have still come out with salaries that don't stand up under a factor analysis. That, Curran asserted, is the result of discrimination: "We don't value those jobs, because women do them."

Curran also addressed some of the typical issues raised by undecided people by discussing her own position's

development. "I used to think that affirmative action would solve the problem," she admitted. "Then a Washington University researcher did a nice little study and told me that eighty percent of employed people would have to change jobs to get rid of sex segregation in jobs." So, she concluded, "changing everyone's job right off isn't an answer either."

One audience member asked whether salaries couldn't be explained on a supply and demand basis, with nurses earning less because there is a surplus and troopers earning more because you have to pay a lot to get people willing to be troopers. Curran retorted that the example was a poor one, since the state had been working under a chronic nurse shortage for several years. Addressing the underlying point, she acknowledged that "there are many reasons. All we're asking is that employers value the work without taking into consideration the gender of the person who traditionally does the job. We're not even asking the employer to change scales, just to apply those scales to all of the jobs."

New Section Slated

By Joseph Mazzarese

The Student Senate discussed reviving the L. Hart Wright Award for teaching excellence at its Monday meeting. President Jim Lancaster suggested an election to select two professors who excel at teaching law. The issue was left open until next week so that the senators could think it over.

Smith reported that the administration intends to turn one of the entering Fall class sections into a special section with two extra classes.

This section would not have an elective, and some of the regular first-year courses may be a credit less. Students would be assigned at random. This will be on an experimental basis; there are no plans to make such a section permanent at this time.

Smith also reported that Dean Stillwagon has drafted a letter to summer starters to help alleviate the problem of inadequate publicity for the summer program.

Hard reported that SFF wants per-

mission to sell U-M Law rear car window stickers.

The Senate unanimously approved the sale.

Hard reported that the loan forgiveness task force desired Senate recognition in order to obtain a mailbox and "a broader legitimacy."

Smith suggested that it would be more effective if it were made an ad-hoc Senate committee rather than merely a recognized independent group. Hard said they seemed to want to remain independent and Reggie Turner pointed out several advantages to recognition, including the possibility of obtaining Senate funds for special expenses. The Senate ultimately left the issue unresolved until next week.

Hard reported that Saturday's Public Interest Law Conference would be preceded by a pot-luck dinner on Friday.

The Senate approved its previous office allocation plan, which Dean Eklund has already accepted. Last week's minutes were also approved.

Notices

SENIOR JUDGE APPLICATIONS for 1985-86 are now available from the receptionist on the third floor of Hutchins Hall. Applications must be submitted by Friday, March 22, 1985.

LATINO CULTURAL NIGHT: Come to the Third Annual Fiesta Latina on Friday, March 29, 1985 at 7:30 p.m. Sponsoring the event are: Chicanos at Michigan (CAM), the Puerto Rican Students Association (PRA), and the Hispanic Law Students Association (HLSA). This springtime celebration will feature live music by AMIGO. Come dance to the flavor of hot Latin rhythms. The dance will be held at the Lawyer's Club Lounge at the corner of South University and State Street. Entrance to the Lawyer's Club is at South University. Admission is \$3.00 at the door and refreshments will be available.

TAKEN A JOB? Are you still looking? Please stop by the Placement Office and let us know or fill out a form on the table in front of Room 100.

PARTY—The L.S.S.S. Social Committee is sponsoring a party Friday

evening March 15 at the NECTARINE BALLROOM. Free admission with law school I.D. and discounts on drinks, free hors d'oeuvres. Signs will be posted giving time.

LAW REVUE—Those interested in performing in the Law Revue Show should place a note giving a brief description of their act, along with their name and phone number in the social committee mailbox outside the senate office (2nd floor Hutchins Hall).

Whereas the Crease Court bath found body and spirit in dire need of others' charms, ye are hereby commanded to lay aside thy mantles of drudgery for an evening of all manner of light-hearted revelry. On this the 30th day of March, A.D. 1985.

M.S.A. ELECTION: The Michigan Student Assembly election will be held April 9 and 10. To run for the law school position, you must file as a candidate with M.S.A. (3909 Michigan Union) by 5:00 p.m. March 20. Contact Eric Schnauffer or M.S.A. for details.

LSSS ELECTIONS

March 28th

Take part in your Law School Student Senate —

Run for office!

Petitions available now in LSSS office.

Petitions due March 21.

Positions Open:

*President, Vice President, Secretary, Treasurer,
2 Second-year Reps, 2 Third-year Reps,
1 Board of Governors representative
(2 year term.)*

13th Conference on Ethics, Humanism and Medicine

Saturday, March 16

8:30 a.m. — 4:30 p.m.

*South Lecture Hall, Medical Science Building 2,
University of Michigan*

Topics

AIDS— Ethical, Social and Legal Considerations
Ethical Concerns Arising From the New Role of Corporate Business in Medicine
Physicians — the Regulators or Regulated? — Some Ethical Issues
Some Ethical Considerations of the Use of Prisoners as Volunteers in Biomedical Research
For Information, Call 764-6263

Feature

Random Notes Of A Legal Mind

By Rob Shantz

What I thought about as I missed the Purdue game because of a sore throat:
—All great men are dead, and I'm not feeling well.

—Were Oliver Wendell Holmes and Sherlock Holmes related? If so, wouldn't it have been a conflict of interests for Oliver to preside over a case Sherlock had solved? Now I'm being silly; everyone knows Sherlock only worked in England.

—The one good thing about the national debt is that it makes my student loans look trivial in comparison. In fact, when the government asks me to take care of my debt I'm going to tell them to leave me alone until they take care of theirs. I'll probably go to jail, but it'll be worth it if I make the national news.

—When I was home for Christmas, my friends and relatives bombarded

me with questions concerning any legal issue that was in the news. They assumed that since I was in law school I must know all the laws. I explained to them that law school emphasizes knowing how to find and analyze the

tiff, and Bailee. All three are legal terms. Bailiff and Plaintiff have the same ending, but Bailiff and Bailee have the same beginning. A Bailee can be a Bailiff or a Plaintiff. Believe me, the ramifications of this one are endless.

I like Washington's birthday. It's one of the few days when I get as much mail as everyone else.

appropriate law more than memorizing rules. They nodded understandingly, but I know they're disappointed in me. Next time I go home I'm taking my Emmanuel's Outlines.

—Even the mighty oak tree was once a little nut.

—Remember those tests when you had to circle the one that didn't belong? I thought of a tough one: Bailiff, Plain-

—I like George Washington's Birthday. It's one of the few days that I get as much mail as everyone else.

—The next time a professor says there's no such thing as a dumb question, I'm going to ask him if Sherlock Holmes and Oliver Wendell Holmes were related. On second thought, I'll ask him which one does not belong: Bailiff, Bailee, or Plaintiff.

—Overrated: blondes, Fridays, Three's Company, money, and Prince. Underrated: red hair, Thursdays, Hawaii Five-0, relationships, and The Time.

—Here's a good one. Say something in a soft voice to someone. When they say, "What?", scream back at them, "What's the matter? Are your ears painted on?" My brothers used to use this one on me all the time when they weren't giving me a "Swirlee" or a "Wedgie."

—Theoretically a law firm will pay me a lot of money someday, and I'll probably sit at my desk for hours thinking the types of thoughts I've listed so far. That's why I hope I never make partner. The first thing that I would have to do is fire myself.

—Well, it looks like RG has KAHNed another article out of me. Now I'm going to REED some civil procedure, (E)STEP into the SCHAUER, put on my GRAY pants, and go looking for SAX.

"Breakfast Club" Mixes Teens And Angst

By Kim Cahill

Remember high school? (Sure you do, it wasn't all that long ago). Well "The Breakfast Club" will sure bring back high school trauma for a lot of people. Director John Hughes and a fine young cast have managed to distill the essence of adolescence in this very entertaining movie.

"The Breakfast Club" is the story of five very different teenagers who are assigned to a nine-hour Saturday detention (euphemistically called The Breakfast Club) at their high school. Each of the teenagers represents a different clique at the school, and none of them knows the others very well at the start of the day. They are put into the library together with instructions to do nothing but write an essay on their past misdeeds, so naturally they turn to getting to know one another. Their initial apprehension about one another melts in their eagerness to outwit the fascistic vice-principal who is in charge of the detention.

Each of the young actors plays a

typical member of a high school clique. There is a brain, a jock, a burn-out, a prom queen, and a nonconformist, and each is played superbly.

Judd Nelson plays the burn-out with such a controlled fury underlying his defiant attitude that he stands bead and shoulders above the rest of this fine cast. His character is menacing, obnoxious, and child-like all in turns. His mercurial changes never seem phony or contrived, just a normal part of being a teenager.

Paul Gleason gives a fine performance as the vice-principal in charge of detention. You can just tell that this is the kind of guy who is capable of mixing a green plain suit with a brown striped tie and going on at length about his advanced degrees in drivers' education or typing. He is determined to control what goes on in that room, never realizing that this is what sparks 90 percent of all the resistance he incurs.

Emilio Estevez turns in a solid performance as a wrestler who is pushed by his father and by his need to turn his

athletic ability into a college scholarship. His macho demeanor slowly disintegrates under the careful scrutiny of his fellow detainees.

Anthony Michael Hall reprises his role as a loveable, nerdy brain from last year's "Sixteen Candles". This kid's incredible knowledge of the mundane and its use in the most inappropriate situations make him the most likely to become either an engineer or a patent attorney. He's the perfect little wirehead with a heart of gold.

Molly Ringwald plays the always correct and fashionable prom queen. Her self-absorption catches the essence of a status-conscious adolescent.

Ally Sheedy, playing against her usual girl-next-door type, gives a wonderful performance as the wacky girl devoted to fitting in by being different. She seems rather underutilized, perhaps an inevitability in a cast as talented as this one.

The ultimate moral of "The Breakfast Club" seems to be that cliques can

be broken down and that they serve merely as a shorthand classification for those who don't want to take the time to know the people who exist inside these cliques. This is all very well and good, but it's a little unrealistic to expect five teenagers to come to this conclusion after only a few hours raising hell together.

One of the nicest things about "The Breakfast Club" is the honesty that comes from its characters. The prom queen admits that although she'd like to be friends with the others, her regular friends just wouldn't let her. It's a realistic posture that seems appropriate for one of the five to voice. It saves them from being plastic images of the repentant teenager who has seen the error of his snotty ways.

"The Breakfast Club" is about growing up. It's not an easy movie and it's not always pretty, but then neither is growing up. The former seems to give a pretty accurate reflection of the latter.

Law in the Raw

Compiled by Dana Deane and Nora Kelly

Holy Divorce

Sixteen years of wedded bliss apparently was enough for Thomas Bowes, and now he was ready to take new vows. The 60-year-old Chicago owner of a nursing-home chain decided to become a priest and therefore had to split with his wife, Joan. But, is that grounds for divorce?

In court, Mr. Bowes claimed he was deeply in love with his wife, but his lawyer says that for the past two years all Mr. Bowes has been talking about is becoming a priest. And he didn't necessarily want to pursue this religious mission alone.

So instead of settling with his wife for your run-of-the-mill house and cash, Mr. Bowes at first offered to arrange to have his ex-wife become a nun. In that case, says his attorney, "she wouldn't be allowed to have any property."

She looked at (Mr. Bowes) as if he were a nut," recalls the lawyer. In the end, Ms. Bowes reluctantly agreed to the divorce—and a \$1.2 million cash and property settlement.

National Law Journal 2/18/85

And I Thought Law Students Coined These Nick Names

According to wild and wacky Supreme Court Justice Harry Blackmun, being on the Supreme Court is more fun than being in a panty raid. Justices make fun of each other, with zingers like calling one "the warden's friend" because he always votes "in favor of the warden and against the prisoner who wants to get out." According to Blackmun, "We call another one 'the schoolboy's friend' in segregation cases and we call a third 'the pornographer's friend' because he's the First Amendment absolutist."

Student Lawyer January, 1985

And You Thought Your Interviews Were Bad

Nearly 10% of executives looking for top international jobs encounter such stressful interviews that they walk out in the middle of them. So says a survey by England's Executive Employment

Bulletin, which cites one job-seeker met by 10 people with "nonstop questions."

Wall Street Journal 10/30/84

Conspiracy Keeps Golf Ball Off the Fairway

Was it illegal for the U.S. Golf Association to ban a new golf ball for having unorthodox dimples?

It was, a federal jury ruled last October. After a six-week trial, the jury awarded \$1,470,000 in damages to the ball's inventors, Daniel Nepela, a senior chemist at I.B.M. Corp., and Fred Holmstrom, a physics professor at San Jose State University. Following antitrust law, the inventors will receive triple damages.

The inventors, who don't play golf, invented and patented their ball in 1974. A lawyer for the pair said the ball, called "Polara", limited hooking and slicing because of the shape of its dimples.

After the golf association rejected the ball, the scientists sued, claiming the association has conspired to keep it off the market.

Wall Street Journal, October 22, 1984